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Attorneys for Defendant Meta Platforms, Inc.

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
NO. 5:23-CV-00509-BO**

DAWN DYE, on behalf of herself and all
others similarly situated,

Plaintiff,

v.

META PLATFORMS, INC.,

Defendant.

**DECLARATION OF DARCY C. HARRIS IN
SUPPORT OF DEFENDANT'S MOTION TO
DISMISS THE COMPLAINT**

ORAL ARGUMENT REQUESTED

1 I, Darcy C. Harris, declare as follows:

2 1. I am an attorney admitted to practice law in the State of New York. I am a partner at
3 the law firm of Gibson, Dunn & Crutcher LLP, and I represent Meta Platforms, Inc. (“Meta”) in the
4 above-referenced action. I submit this declaration in support of Meta’s Motion to Dismiss the
5 Complaint. Unless otherwise stated, the following facts are within my personal knowledge and, if
6 called and sworn as a witness, I could and would testify competently to them.

7 2. Attached hereto as **Exhibit 1** is a true and correct copy of Meta’s Terms of Service
8 dated July 26, 2022, downloaded from Meta’s website at
9 https://www.facebook.com/legal/terms/plain_text_terms.

10 3. Attached hereto as **Exhibit 2** is a true and correct copy of Meta’s Privacy Policy dated
11 June 15, 2023, downloaded from Meta’s website at
12 <https://mbasic.facebook.com/privacy/policy/printable/>.

13 4. Attached hereto as **Exhibit 3** is a true and correct copy of Meta’s Cookies Policy dated
14 November 2, 2023, downloaded from Meta’s website at
15 <https://mbasic.facebook.com/privacy/policies/cookies/printable/>.

16 5. Attached hereto as **Exhibit 4** is a true and correct copy of Meta’s Business Tools
17 Terms dated April 25, 2023, downloaded from Meta’s website at
18 <https://www.facebook.com/legal/terms/business tools>.

19
20 Executed this 1st day of December, 2023 in New York, New York.

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24 /s/ Darcy C. Harris

25 Darcy C. Harris
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